

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

PRINCETON DIGITAL IMAGE  
CORPORATION,

Plaintiff,

v.

HEWLETT-PACKARD, et al.;

Defendants.

Civil Action No. 1:12-cv-779 (RJS)

AND RELATED COUNTERCLAIMS

**DECLARATION OF BRADLEY R. LARSON IN SUPPORT OF DEFENDANT  
HEWLETT-PACKARD COMPANY'S MOTION FOR SUMMARY JUDGMENT OF  
NONINFRINGEMENT BASED ON SETTLEMENT AGREEMENT BETWEEN  
PLAINTIFF AND MICROSOFT CORP.**

I, Bradley R. Larson, hereby declare as follows:

1. I submit this declaration in support of the motion for summary judgment filed by my employer, Hewlett-Packard Company ("HP"). I have personal knowledge of the facts set forth in this declaration and could testify competently to these matters if called to do so.

2. My current title with HP is ASIC Imaging Hardware Master in HP's LaserJet laser printer business unit. I have been working for HP for more than 25 years, since December 1988. During the time period 2004 through 2007, I was working as a ASIC Architect for HP's laser printer division. As a result of my approximately 22 years working with HP LaserJet printers, I am familiar with the structure, function and operation of those products.

3. I understand that the plaintiff in this case is accusing of infringement certain models of HP LaserJet printers that were sold from 2004 through 2007. I understand that the relevant models are ones that can perform a number of different functions, such as printing,

scanning, copying and faxing. HP calls these devices MFPs (short for Multifunction Peripheral) or All-in-Ones.

4. Since I began working with HP LaserJet printers, those printers have been designed to work on a Microsoft platform, so that the LaserJet printers could perform their functions seamlessly in a Windows operating system environment. I estimate that 95 percent of HP's efforts in developing laser printers is devoted to making those printers work in a Microsoft Windows environment, as opposed to other types of operating systems. Before Microsoft releases a new operating system, Microsoft will send an advance version of the operating system software to HP, so that HP can design its laser printers to work with that new operating system. I understand that this occurred before the release of Windows XP.

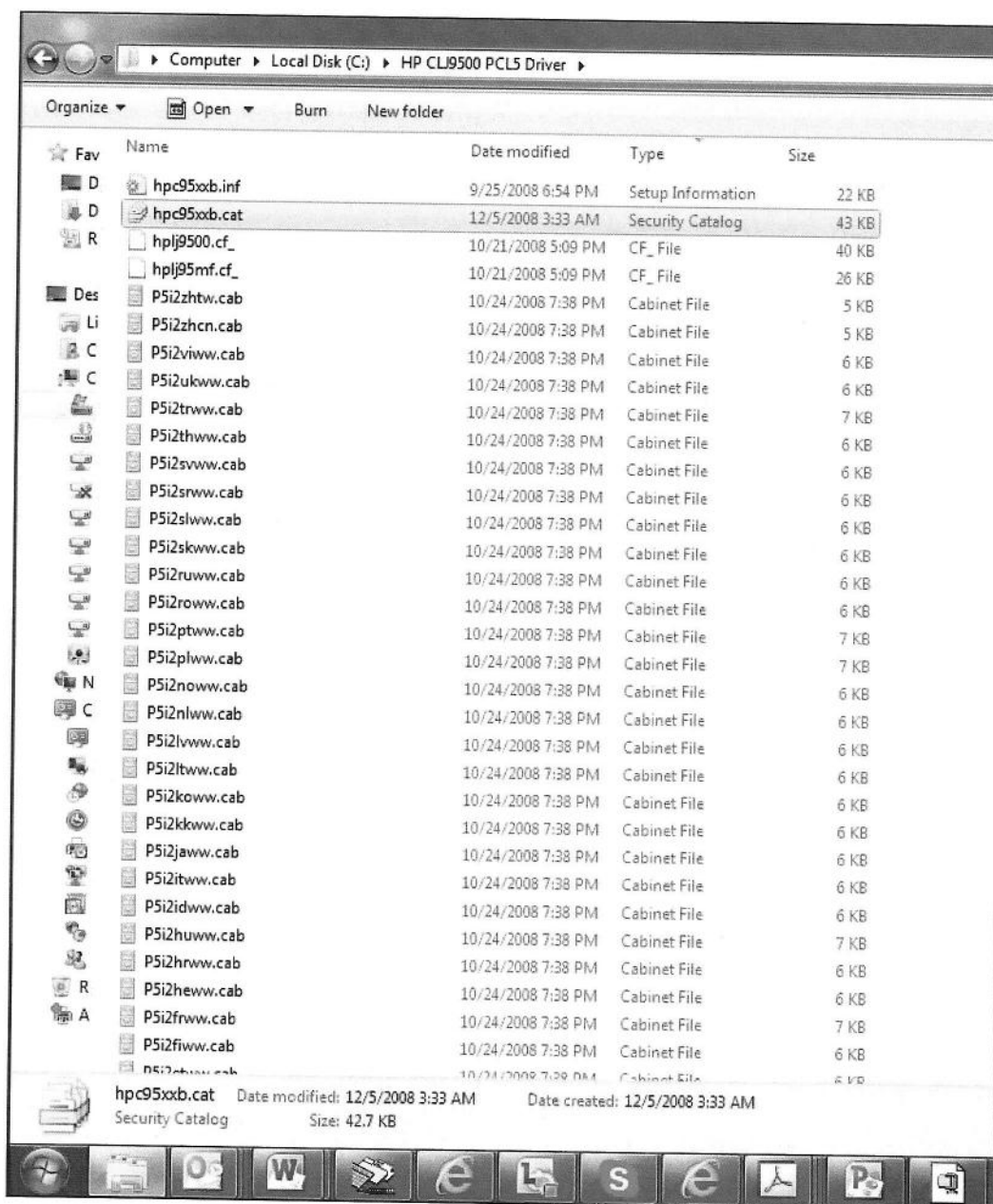
5. Since the late 1990s, HP's LaserJet printers have had to undergo Windows Hardware Quality Labs ("WHQL") testing before they could be certified as a Microsoft Windows compliant products. WHQL testing is Microsoft's testing process, which involves two basic steps. First, Microsoft designs a set of features and functionalities that the HP LaserJet printers must have to be able to operate seamlessly with Microsoft's operating systems. When HP designs its LaserJet printers, it must include the features and functionality required by Microsoft. Second, HP must perform a series of tests on its LaserJet printers before releasing them for sale. HP submits the results of those tests to Microsoft for review. Only after HP's LaserJet printers pass WHQL testing are they certified for use with a Microsoft Windows operating system. HP employs dozens of employees who are responsible for performing WHQL testing on HP's products. HP LaserJet printers that pass the WHQL tests get to use a "Certified for Windows" logo on the product. The logo indicates that the product passed Microsoft's WHQL testing and was designed to be used with the Microsoft Windows XP operating system.

6. HP employs a team of more than 100 employees who create software drivers for HP's laser printers. This team uses the Microsoft Windows Software Development Kit ("SDK") to create drivers for HP's laser printers. The Windows SDK allows HP to develop printer software drivers that work with the Windows operating system. HP has been using the Windows SDK to create printer drivers since well before 2004. For many years (since before 2004), HP has also used the Microsoft Windows installer (also called an "MSI installer"), which is a Microsoft-provided software component used for the installation, maintenance and removal of HP printer drivers on Microsoft Windows computers.

7. When the printer drivers for HP's LaserJet printers pass WHQL testing, Microsoft creates a digitally signed certification file, called a Microsoft Catalog file (or ".cat" file after their file extension). These Microsoft .cat files are sent by Microsoft to HP for inclusion with HP's LaserJet printers. These Microsoft .cat files are different for each model and release of HP's LaserJet printers.

8. An example of the Microsoft .cat file shipped with the HP Color LaserJet 9500 is shown in the screenshot below. The .cat file shown highlighted in blue in the screenshot was provided by Microsoft to HP for use with that LaserJet model.





9. This Microsoft .cat file contains a collection of cryptographic hashes, or thumbprints. The Microsoft operating system recognizes the signed catalog file of a driver package as the digital signature for the driver package. This Microsoft .cat file allows the HP LaserJet 9500 (or any other LaserJet) to be seamlessly plugged into and operated with a PC running a Microsoft operating system (in this example, Windows XP). Without this .cat file, an

error message would appear on the PC monitor when the printer is plugged into the computer, warning the user that the printer may not be Microsoft compatible.

10. My understanding is that Microsoft also maintains the HP printer drivers and Microsoft .cat files for HP LaserJet printers on its own servers, so that users can download the drivers and .cat files for the HP LaserJet printers without the need for the product CD.

11. To my knowledge, all HP LaserJet printers passed WHQL testing, were certified by Microsoft as Windows-compatible devices, and shipped with Microsoft .cat files so that the printers could be operated with a Microsoft Windows operating system during the 2004-2007 timeframe.

12. The HP LaserJet printers also incorporated the Microsoft FAT32 File System. "FAT" is short for File Allocation Table. Microsoft's FAT32 File System is a computer file system architecture that is well-suited for data exchange between computers and peripheral devices, like laser printers. HP's LaserJet printers incorporate the Microsoft FAT32 File System as the main internal file system for storage of information on the device. The Microsoft FAT32 File System also helps us to develop new products by allowing developers to easily exchange files on the device. The Microsoft FAT32 File System was and is implemented in the firmware running on the HP LaserJet printer, as well as on the Microsoft Windows PC itself. This is true of LaserJet printers developed by HP during the 2004-2007 timeframe.

13. I was deposed in this case on January 30, 2014 in Boise, Idaho. My deposition lasted approximately one hour. I was not asked about any of the information set forth above during my deposition.

14. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: April 23, 2014

  
Bradley R. Larson